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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

VERONICA HOWARD,

Plaintiff,

vs.

CITY OF NORTH LAS VEGAS,
 a municipal corporation; RYANN JUDEN;
 SEAN HOEFFGEN; CINDY MARSHALL;
 and ERIN TELLEZ,

Defendants.

Case No.: 2:21-cv-00199-JCM-BNW

**STIPULATION AND ORDER TO
 EXTEND DISCOVERY DEADLINES**

(First Request)

Plaintiff VERONICA HOWARD and Defendants CITY OF NORTH LAS VEGAS, a municipal corporation, RYANN JUDEN, SEAN HOEFFGEN, CINDY MARSHALL, and ERIN TELLEZ, (collectively, "Defendants"), by and through their respective counsel of record, STIPULATE AND AGREE that the current discovery cutoff date of **November 3, 2021**, be continued for a period of sixty (60) days up to and including **January 3, 2022**. This is the first extension to the discovery period that has been requested in this matter.

1. DISCOVERY COMPLETED TO DATE:

Defendants made and served their initial disclosures required under Fed. R. Civ. P.

26(a)(1)(A), on April 28, 2021.

Plaintiff made and served her initial disclosures required under Fed. R. Civ. P. 26(a)(1)(A), on May 12, 2021. Plaintiff made and served her “First Supplement to Plaintiff’s Initial Disclosures” on August 27, 2021.

On July 8, 2021, Defendant City of North Las Vegas served on Plaintiff “Defendant City of North Las Vegas’ First Set of Interrogatories to Plaintiff.” Plaintiff served her “Objections and Responses to Defendant City of North Las Vegas’ First Set of Interrogatories to Plaintiff” on August 27, 2021.

Also on July 8, Defendant City of North Las Vegas served on Plaintiff “Defendant City of North Las Vegas’ First Set of Requests for Production of Documents to Plaintiff.” Plaintiff served her “Objections and Responses to Defendant City of North Las Vegas’ First Set of Requests for Production of Documents to Plaintiff” on August 27, 2021.

On August 20, 2021, Plaintiff served on Defendants “Plaintiff’s First Set of Requests for Production of Documents.” Defendants responses are due on October 7, 2021.

2. DISCOVERY YET TO BE COMPLETED:

Plaintiff soon will be serving “Plaintiff’s Second Set of Requests for Production of Documents,” seeking disciplinary records for who Plaintiff believes to be comparitors among the employees of Defendant City of North Las Vegas’s Municipal Court clerk’s office. Plaintiff also intends to take the depositions of the named individual defendants: Ryann Juden, Sean Hoeffgen, Cindy Marshall and Erin Tellez. Plaintiff may elect to take additional deposition based on deposition transcripts and the responses to written discovery that she receives.

Defendants intend to take the deposition of Plaintiff Veronica Howard and may schedule other depositions following a review of deposition transcripts and Plaintiff’s responses to its discovery requests.

3. REASONS WHY REMAINING DISCOVERY HAS NOT YET BEEN COMPLETED:

On March 8, 2021, Defendants filed and served “Defendants City of North Las Vegas, Ryann Juden, Sean Hoeffgen, Cindy Marshall and Erin Tellez’ Motion to Dismiss Plaintiff’s Complaint,” ECF No. 14. The motion has been fully briefed and is pending before this Court. If this motion is

1 granted in whole or in part, it could significantly affect the scope of this litigation, both in terms of
 2 parties and in claims. Because Defendants elected to file a dispositive motion in response to the
 3 Plaintiff's Complaint, ECF No. 1-1, pp. 9-34, none of the defendants have filed an answer to the
 4 complaint and, therefore, affirmative defenses have not been pled. While the parties intend to
 5 complete as much written discovery as best can be done without regard to the resolution of the
 6 dispositive motion, some written discovery and the slate of depositions would be dependent on the
 7 case that survives the pending dispositive motion.

8 Furthermore, a large number of witnesses have been identified which will complicate the
 9 completion of discovery by the original deadline.

10 **4. REVISED DISCOVERY PLAN:**

11 1. Discovery Cut-Off Date: **January 3, 2022.**

12 2. Dispositive Motions: The date for filing dispositive motions shall be not later than
 13 **February 2, 2022**, 30 days after the discovery cut-off date. In the event that the discovery period
 14 is extended from the discovery cut-off date set forth in this Stipulation and Order to Extend
 15 Discovery (First Request), the date for filing dispositive motions shall be extended for the same
 16 duration, to be not later than 30 days from the subsequent discovery cut-off date.

17 3. Pretrial Order: The date for filing the joint pretrial order shall be not later than
 18 **March 4, 2022**, 30 days after the date set for filing dispositive motions. In the event that dispositive
 19 motions are filed, the date for filing the joint pretrial order shall be suspended until 30 days after
 20 decision on the dispositive motions or until further order of the court.

21 4. Additional Extensions of the Discovery Period: The last day for the parties to file
 22 their Motion and/or Stipulation to Extend Discovery shall be **December 13, 2021**, twenty (21) days
 23 prior to the revised discovery cut-off.

24 5. Any discovery deadline not extended in accordance with the Revised Discovery Plan
 25 set forth above shall remain controlled by the Stipulated Discovery Plan and Scheduling Order, ECF
 26 No. 23, as approved by the Court on April 15, 2021.

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No trial date has yet been ordered.

DATED: 27 September 2021.

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NORTH LAS VEGAS CITY ATTORNEY

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IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

DATED: September 29, 2021